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8   **UNITED STATES DISTRICT COURT**

9   EASTERN DISTRICT OF CALIFORNIA

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11   JESUS CISNEROS DONDIEGO,   Case No. 1:24-cv-01353-BAM (PC)

12   Plaintiff,   ORDER TRANSFERRING CASE TO THE
                                               CENTRAL DISTRICT OF CALIFORNIA
13   v.

14   MONJE, *et al.*,

15   Defendants.

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17   Plaintiff Jesus Cisneros Dondiego ("Plaintiff"), a state prisoner proceeding *pro se*, has

18   filed a civil rights action pursuant to 42 U.S.C. § 1983, together with a motion to proceed *in*

19   *forma pauperis*. (ECF Nos. 1, 2.)

20   The federal venue statute requires that a civil action, other than one based on diversity

21   jurisdiction, be brought only in "(1) a judicial district where any defendant resides, if all

22   defendants are residents of the State in which the district is located, (2) a judicial district in which

23   a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part

24   of the property that is the subject of the action is situated, or (3) if there is no district in which an

25   action may otherwise be brought as provided in this section, any judicial district in which any

26   defendant is subject to the court's personal jurisdiction with respect to such action." 28 U.S.C.

27   § 1391(b).

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In this case, none of the defendants reside in this district. It appears the claim arose in Riverside County, which is in the Central District of California. Therefore, Plaintiff's claim should have been filed in the United States District Court for the Central District of California. In the interest of justice, a federal court may transfer a complaint filed in the wrong district to the correct district. *See* 28 U.S.C. § 1406(a); *Ravelo Monegro v. Rosa*, 211 F.3d 509, 512 (9th Cir. 2000).

Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States District Court for the Central District of California. The Court has not ruled on Plaintiff's motion to proceed *in forma pauperis*.

IT IS SO ORDERED.

Dated: **November 6, 2024**   /s/ *Barbara A. McAuliffe*   _
UNITED STATES MAGISTRATE JUDGE

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